

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DONNA HINES,

No. C 07-4145 CW

Plaintiff,

v.

ORDER DENYING
REQUEST FOR RULE 54
JUDGMENT

CALIFORNIA PUBLIC UTILITIES
COMMISSION, et al.,

Defendants.

Defendants California State Personnel Board, Gregory Brown and
Floyd Shimomura request that the Court enter partial judgment
against Plaintiff on her claims against them. However, partial
judgment may only be entered if the Court "expressly determines
that there is no just reason for delay." Fed. R. Civ. P. 54(b).
Here, there is a just reason for delay. Although Plaintiff's
claims against the moving Defendants have been dismissed with
prejudice, any appeal taken against these Defendants would raise
similar, if not identical, issues as an appeal taken against the
other Defendants. Entering partial judgment would potentially
present the Ninth Circuit with two overlapping appeals in the same

1 case and would not further the efficient resolution of this
2 litigation. Accordingly, the request (Docket No. 132) is DENIED.

3 IT IS SO ORDERED.

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5 Dated: 3/31/09



6 CLAUDIA WILKEN
7 United States District Judge
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UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

DONNA HINES,

Case Number: CV07-04145 CW

Plaintiff,

CERTIFICATE OF SERVICE

v.

CALIFORNIA PUBLIC UTILITIES
COMMISSION et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on March 31, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Donna Hines
268 Bush Street, #3204
San Francisco, CA 94104

Dated: March 31, 2009

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk